

REMARKS

The Examiner objected to the drawings because the light source is not shown in the drawings but is part of the claims. The above amendments remove the light source from the claims, and hence, render this issue moot.

The Examiner objected to Claims 10 and 11 because "said first trim filter" lacked proper antecedent basis. The above amendments cure this defect.

The Examiner rejected Claims 1, 2, 7, 9, 10 and 11 under 35 U.S.C. 112, second paragraph because the Examiner maintains that the phrase "preferentially" renders the claims indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. The above amendments remove the phrase in question, and hence, render this issue moot.

The Examiner rejected Claims 1-5, 7, and 9-11 under 35 U.S.C. 102(b) as being anticipated by Hinoda, *et al* (hereafter "Hinoda")US 4,547,074. Applicant submits these claims as amended above are neither anticipated by, nor obvious in view of, Hinoda.

With respect to Claims 1 and 9, the Examiner identifies filters 41-44 as the primary color filters and filters 31-34 as the trim filters. It should be noted that each of the photodiodes taught in Hinoda have a separate primary filter and a separate trim filter that overlies only the photodiode in question. The claims, as amended above, require the trim filter to overlay all of the photodiodes. Hence, Hinoda could not anticipate Claims 1, 9, or the claims dependent therefrom.

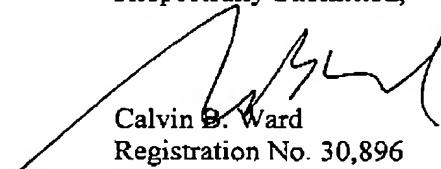
Furthermore, none of the trim filters or primary filters taught in Hinoda could be extended to cover all of the photodiodes and still provide a working device. As pointed out in the specification of the present invention, the cost of providing separate filters on each of the photodiodes, particularly when the photodiodes become small, is prohibitive in many applications. Hence, the present invention as claimed in Claims 1, 9, and the claims dependent therefrom are not obvious in view of Hinoda.

The Examiner rejected Claim 6 under 35 U.S.C. 103(a) as being unpatentable over Hinoda. Applicant submits that Claim 6, as amended above, is not obvious in view of Hinoda. Applicant repeats the arguments made above with reference to Claim 1.

The Examiner rejected Claims 8 and 12 under 35 U.S.C. 103(a) as being unpatentable over Hinoda in view of Sulzbach, *et al* (hereafter "Sulzbach") US 3,996,461. Applicant submits that Claims 8 and 12, as amended above, are not obvious in view of these references. Applicant repeats the arguments made above with reference to Claim 1. Sulzbach does not provide the missing teachings.

I hereby certify that this paper is being sent by FAX to 517-273-8300.

Respectfully Submitted,


Calvin D. Ward
Registration No. 30,896
Date: Nov. 22, 2005

Agilent Technologies, Inc.
Legal Department, M/S DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599
Telephone (925) 855-0413
Telefax (925) 855-9214